

RENTON CITY COUNCIL
Regular Meeting

February 13, 2006
Monday, 7:00 p.m.

Council Chambers
Renton City Hall

MINUTES

CALL TO ORDER

Mayor Kathy Keolker called the meeting of the Renton City Council to order and led the Pledge of Allegiance to the flag.

**ROLL CALL OF
COUNCILMEMBERS**

RANDY CORMAN, Council President; DON PERSSON; MARCIE PALMER; TERRI BRIERE; DENIS LAW; DAN CLAWSON; TONI NELSON.

**CITY STAFF IN
ATTENDANCE**

KATHY KEOLKER, Mayor; LAWRENCE J. WARREN, City Attorney; BONNIE WALTON, City Clerk; GREGG ZIMMERMAN, Planning/Building/Public Works Administrator; ALEX PIETSCH, Economic Development Administrator; DON ERICKSON, Senior Planner; LINDA HERZOG, Interim Assistant to the CAO; COMMANDER KENT CURRY, Police Department.

PROCLAMATION
Boeing 737 Day - 2/13/2006

A proclamation by Mayor Keolker was read declaring the day of February 13, 2006, to be "Boeing 737 Day" in the City of Renton, encouraging all citizens to recognize the important contributions The Boeing Company and its employees have made and continue to make to the City of Renton. **MOVED BY LAW, SECONDED BY CORMAN, COUNCIL CONCUR IN THE PROCLAMATION AS READ. CARRIED.**

The Mayor noted that she attended a special ceremony today, which celebrated Boeing's delivery of the 5,000th 737 airplane to Southwest Airlines. Carolyn A. Brandsema, Director of Engineering, 737/757 Programs Boeing Commercial Airplanes, accepted the proclamation on behalf of all the men and women at Boeing who have worked over the years to make the 737 the most popular commercial jetliner in the history of the world.

PUBLIC MEETING
Annexation: Aster Park,
Sunset Blvd NE

This being the date set and proper notices having been posted and published in accordance with local and State laws, Mayor Keolker opened the public meeting to consider the 10% Notice of Intent petition for the proposed Aster Park Annexation; 19.85 acres, including the SR-900 right-of-way, located along the south side of Sunset Blvd. NE (SR-900), west of 148th Ave. SE, north of SE 112th St., if extended, and east of 144th Ave. SE, if extended.

Don Erickson, Senior Planner, stated that existing development on the site includes the six-acre Fir Grove Mobile Home Park, two single-family dwellings, and a new 37-lot subdivision that is currently being built. The topography of the site is relatively flat. In regards to the public services, Mr. Erickson noted that Fire District #10, Water District #90, Renton sewer, and the Issaquah School District serve the area.

Mr. Erickson reported that current King County zoning is R-4 for the eastern portion of the site, and R-48 for the western portion. The Renton Comprehensive Plan designates the area as Residential Low Density, which allows R-4 (four dwelling units per net acre) zoning. He stated that the fiscal impact analysis estimates a deficit of \$8,707 at current development, a surplus of \$23,892 at full development, and a one-time parks development cost of \$27,724.

In conclusion, Mr. Erickson said the proposed annexation furthers the City business goals, and is generally consistent with Boundary Review Board objectives and City policies.

In response to Councilwoman Nelson's inquiry, Mr. Erickson and City Attorney Larry Warren indicated that they do not know what the owners of the mobile home park property plan to do with the property.

Public comment was invited.

Claudia Donnelly, 10415 147th Ave. SE, Renton, 98059, voiced concern regarding surface water runoff from the Aster Park area through her yard to May Creek. She noted that annexation area boundaries are often expanded, and expressed concern that her neighborhood will become part of this annexation. Emphasizing that she wants the opportunity to express her opinion regarding annexation to Renton via the ballot box, Ms. Donnelly requested that her neighborhood, the Aster Park annexation area, and the rest of the King County area participate in the Preserve Our Plateau Annexation election.

Jullianne Bruce, 17100 SE 136th St., Renton, 98059, expressed her concern regarding surface water runoff from the increase in impervious surfaces due to development. She stated her desire that the area remain rural, and that the annexation be taken to a vote and not forced upon residents who may not want to annex to Renton. Ms. Bruce also commented that the lifestyles of affected residents are being compromised if it is true that in order to obtain mass transportation funding, urban areas must grow and rural areas must shrink.

There being no further public comment, it was MOVED BY BRIERE, SECONDED BY NELSON, COUNCIL CLOSE THE PUBLIC MEETING. CARRIED.

MOVED BY BRIERE, SECONDED BY CLAWSON, COUNCIL ACCEPT THE ASTER PARK 10% PETITION TO ANNEX, AUTHORIZE CIRCULATION OF THE 60% DIRECT PETITION TO ANNEX, AND SUPPORT FUTURE ZONING CONSISTENT WITH THE COMPREHENSIVE PLAN RESIDENTIAL LOW DENSITY LAND USE DESIGNATION. CARRIED.

PUBLIC HEARING
Annexation: Preserve Our
Plateau, SE 128th St

This being the date set and proper notices having been posted and published in accordance with local and State laws, Mayor Keolker opened the public hearing to consider the 10% Notice of Intent to annex petition by the election method for the proposed Preserve Our Plateau Annexation; approximately 1,475 acres located in the vicinity of SE 128th St., SE 149th St., 152nd Ave. SE, and 184th Ave. SE.

Don Erickson, Senior Planner, stated that approximately 1,630 single-family dwellings exist on this diverse site, and the annexation proposal is in compliance with Boundary Review Board objectives and with relevant City annexation policies. Reviewing the public services, he noted that the site is served by Fire Districts #25 and #10, Water District #90, Renton Sewer, and the Renton and Issaquah School Districts.

Mr. Erickson reported that State law requires Council to adopt a resolution either calling for an election, or disapproving the annexation. If Council calls for an election, decisions must be made as to whether or not to include propositions on the ballot regarding future zoning and bonded indebtedness. He explained that despite the projected initial deficit of up to \$263,000 and the

need to hire as many as 22 new employees, staff recommends placing the annexation proposal on the ballot. Mr. Erickson pointed out that there are major efficiencies to be gained from annexing a larger area at one time that are not realized with smaller annexations.

Continuing, Mr. Erickson indicated that staff is recommending against asking residents to vote on future zoning at this time since the area has not yet been rezoned. He noted that staff intends to hold at least two public hearings on future zoning this summer. Additionally, staff is recommending that the proposition on outstanding indebtedness not be included on the ballot. Retirement of the City's outstanding debt is expected in 2009, and the amount that would be collected from the annexation area is estimated at \$62,285. Mr. Erickson stated that if the assumption of the City's outstanding indebtedness is placed on the ballot, the measure would trigger a super majority approval requirement, and would require voter turnout of at least 40% of the total votes cast in the last general election.

Regarding Fire District #25, Mr. Erickson noted that the subject annexation area to be served by Renton would remove only 51% of the district's current assessed value; therefore, the district would continue to exist.

Mr. Erickson pointed out that if the voters approve the annexation, it is likely to be six months to a year before it is effectuated. He explained that the City and King County will need to enter into various interlocal agreements regarding the transference of county-owned facilities and county services. Mr. Erickson noted that the Mayor will establish a blue ribbon advisory committee comprised of residents and service providers to help with the transition.

Turning to the existing moratorium on sewer availabilities for new subdivisions within the East Renton Plateau Potential Annexation Area, Mr. Erickson reported that the moratorium expires prior to a possible annexation effective date. Council will need to decide whether to extend the moratorium, or allow development occurring prior to the effective date to vest to King County standards.

Mr. Erickson stated that the following will likely happen if the annexation fails: 1) As the designated sewer provider for this area, the City has already issued over 250 sewer certificates; 2) The existing moratorium will be lifted and new certificates will be issued based upon the City's Comprehensive Plan Residential Low Density land use designation; 3) Future development will continue under King County development regulations; and 4) The existing level of service will continue to decline, based upon King County statements.

Concluding that the annexation proposal serves the best interests and general welfare of the City, Mr. Erickson pointed out that the anticipated initial deficit may be offset with a positive cash flow by the time of full development in ten to fifteen years.

Alex Pietsch, Economic Development Administrator, discussed the King County 2004 Annexation Initiative, which calls for annexation by 2012 of most of King County's remaining unincorporated urban areas. The initiative set aside a \$10 million fund to assist communities in offsetting some of the negative financial impacts. He reported that the King County executive has expressed his desire to enter into an interlocal agreement that asks Renton to accept the county parks and stormwater properties in the subject area, and to consider hiring county employees. In return, King County agrees to pay Renton \$1.15

million in real estate excise tax, which is required to be used for infrastructure, and \$600,000 in CX funds. Mr. Pietsch noted that the City has requested that half be paid upon a successful election, and half upon effectuation of the annexation.

In response to Councilmember inquiries, Mr. Pietsch stated that the CX funds could potentially be used to purchase police cars. He indicated that issues concerning stormwater facilities maintenance costs and park improvements will be discussed in the coming months. Mayor Keolker pointed out that these are the types of issues that will be discussed by the blue ribbon advisory committee.

Public comment was invited.

Shirley Day, 14412 167th Pl. SE, Renton, 98059, questioned how the annexation area's boundaries were determined, and submitted a letter signed by 78 residents who do not want to be annexed to Renton. She expressed her disappointment with the petitioner's approach to establishing the boundaries, and stated her desire for a hearing with the Boundary Review Board.

Gwendolyn High, 13405 158th Ave. SE, Renton, 98059, introduced herself as the president of CARE (Citizens' Alliance for a Responsible Evendell) and the treasurer of the CARE Annexation Committee who is the petitioner of the annexation. Ms. High expressed her happiness with the City's efforts so far with the subject area, including the land use designation and forthcoming tree retention ordinance. She indicated that she is looking forward to working with the City on the annexation process.

Claudia Donnelly, 10415 147th Ave. SE, Renton, 98059, spoke on behalf of her mother, Roxanne Reynolds, 13016 156th Ave. SE, Renton, 98059, who does not want to annex to Renton. Ms. Donnelly stated that she has been in contact with many residents in the area who do not want to be a part of Renton, and had been left out of CARE's process for boundary establishment. Ms. Donnelly requested that the City ask the Boundary Review Board to review the proposed annexation with a public hearing, and that the annexation area be expanded so all East Renton Plateau area residents can vote on the matter. Additionally she questioned how the City will pay for the new employees and services.

Fred Herber, Bennett Development, 12011 NE 1st St., Bellevue, 98005, expressed his disappointment concerning the possible extension of the sewer moratorium until after the annexation vote, which is anticipated to occur in the fall. Emphasizing that time delays cost developers and ultimately homeowners, Mr. Bennett requested that the moratorium not be extended when it expires in June.

Jullianne Bruce, 17100 SE 136th St., Renton, 98059, voiced concern about the increase in water runoff due to the increase in impervious surfaces, noting that sensitive areas are especially affected by development. She also stressed the importance of having area residents on the blue ribbon advisory committee.

Responding to Ms. Bruce's comment regarding the bonded indebtedness issue, Mayor Keolker clarified that the recommendation not to include the issue on the ballot means that area residents are not going to pay for it.

Mayor Keolker stated that the City is not seeking this annexation but is responding to a request. However, she indicated that if residents want to come into the City they are welcome. The Mayor pointed out that if the area remains

in King County, the existing zoning allows denser development than is allowed in Renton.

Royden Miser, 13505 166th Ave. SE, Renton, 98059, pointed out that the King County Sheriff's Office has done an outstanding job of preventing crime at Liberty High School. Reporting that a police officer is assigned to the school full time, he inquired if that will continue if the area is annexed to Renton. Additionally, since the school is within the Issaquah School District, Mr. Miser inquired as to the taxing for the school districts.

Mayor Keolker said the school district boundaries remain the same, and Mr. Miser will continue to be taxed for only the Issaquah School District. The Renton Police Department will serve the area, and enforcement arrangements will be discussed with the school district. She noted that Renton currently has school resource officers.

Jack Case, 16445 SE 135th St., Renton, 98059, inquired if Renton has a critical areas ordinance, noted the presence of beavers in a pond in the annexation area, and inquired if a recent U.S. Supreme Court ruling regarding eminent domain will affect his six lots. City Attorney Larry Warren indicated that the court ruling has little or no applicability to the State of Washington. He assured that Renton's critical areas ordinance is much easier to understand and comply with than King County's ordinance.

Robert LeCoque, 12916 166th Ave. SE, Renton, 98059, noted that he lives near the aforementioned beaver pond, or Cemetery Pond, which is located between 164th and 166th Avenues SE, off of SE 128th St. He reported that this semi-natural occurring pond was modified when King County started creating controlled runoff collection ponds. Mr. LeCoque pointed out the problems with the pond, and stated that he is interested to see how Renton will approach on-going maintenance and correction of existing problems.

There being no further public comment, it was MOVED BY CLAWSON, SECONDED BY NELSON, COUNCIL CLOSE THE PUBLIC HEARING. CARRIED.

MOVED BY BRIERE, SECONDED BY CLAWSON, COUNCIL: ACCEPT THE 10% NOTICE OF INTENT PETITION; PASS A RESOLUTION CALLING FOR AN ELECTION FOR THE 1,475 ACRES OF CONTIGUOUS UNINCORPORATED TERRITORY KNOWN AS THE PRESERVE OUR PLATEAU ANNEXATION; AND AUTHORIZE THE ELECTION BALLOT FOR THIS ANNEXATION TO HAVE ONE PROPOSITION STATING WHETHER THOSE VOTING SUPPORT OR DO NOT SUPPORT THIS ANNEXATION AND NOT INCLUDE PROPOSITIONS CONCERNING OUTSTANDING INDEBTEDNESS AND FUTURE ZONING.*

Council President Corman stated that he was impressed by the questions asked by the speakers, and pointed out that he does not want to change the character of the area. In response to a previous speaker's comment, he noted that adding more density does not result in the set-aside of more funding for mass transportation. Acknowledging that many issues and interests are involved, Mr. Corman indicated that if annexed, the area and its issues will be under local control, which may be advantageous to residents in terms of easier access to government and those more familiar with the area. He expressed his happiness that the matter is going to a vote.

Councilman Clawson emphasized that development will be less dense if the area is annexed to Renton than if it remains in King County, and the area will receive the same level of serve as the rest of the City.

*MOTION CARRIED. (See page 40 for resolution.)

Mayor Keolker recommended that citizens direct any questions they may have concerning the annexation to the City of Renton.

ADMINISTRATIVE REPORT

Linda Herzog, Interim Assistant to the CAO, reviewed a written administrative report summarizing the City's recent progress towards goals and work programs adopted as part of its business plan for 2006 and beyond. Items noted included:

- * The City of Renton, in conjunction with other cities and towns across Washington State, will simultaneously plant a cherry tree at 11:00 a.m. on February 14th. Renton's cherry tree will be planted in Earlington Park. This Statewide celebration, initiated by the Association of Washington Cities, commemorates the 30th anniversary of a gift of 1,000 cherry trees from Japanese Prime Minister Takeo Miki to the City of Seattle in 1976, in recognition of the United State's bicentennial.
- * An auto theft prevention program is being offered by the Renton Police Department. Combined with locking doors, rolling up windows, and removing all personal belonging from vehicles, a steering wheel locking device (such as The Club) can be an effective auto theft deterrent. Contact the Crime Prevention Unit to purchase this steering wheel locking device.

CONSENT AGENDA

Items on the consent agenda are adopted by one motion which follows the listing.

Council Meeting Minutes of
2/6/2006

Approval of Council meeting minutes of 2/6/2006. Council concur.

Appointment: Planning
Commission

Mayor Keolker appointed Greg Taylor, 702 SW 3rd Pl., Renton, 98055, to the Planning Commission for a three-year term expiring 6/30/2007. Council concur.

Community Services: Museum
Supervisor Hire at Step D

Community Services Department recommended approval to hire the Museum Supervisor at Step D of the salary range. Council concur.

EDNSP: Multi-Family
Housing Property Tax
Exemption, Bristol II at
Southport

Economic Development, Neighborhoods and Strategic Planning Department recommended approval of the multi-family housing property tax exemption agreement for the Bristol II at Southport project, 1133 Lake Washington Blvd. N. Refer to Planning and Development Committee.

Streets: Park Ave N Closure,
South Lake Washington
Roadway Improvements

Transportation Systems Division requested authorization for the temporary closure of Park Ave. N. from N. 6th St. to Garden Ave. N. for the South Lake Washington Roadway Improvements Project, for a period of six months. Closure will take place between July 2006 and July 2007, with exact dates dependent on work progress. Refer to Transportation (Aviation) Committee.

MOVED BY CORMAN, SECONDED BY PERSSON, COUNCIL APPROVE THE CONSENT AGENDA AS PRESENTED. CARRIED.

UNFINISHED BUSINESS
Police: Pawn Shop Procedures

MOVED BY CORMAN, SECONDED BY LAW, COUNCIL REFER POLICE PROCEDURES FOR PAWN SHOPS TO THE PUBLIC SAFETY COMMITTEE. CARRIED.

Finance Committee

Finance: Vouchers

Finance Committee Chair Persson presented a report recommending approval of Claim Vouchers 244801 - 245705 and two wire transfers totaling \$6,232,184.58; and approval of Payroll Vouchers 61673 - 62048, two wire transfers, and 1,199 direct deposits totaling \$3,905,619.63. MOVED BY PERSSON, SECONDED BY NELSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

RESOLUTIONS AND ORDINANCES**Resolution #3790**

Annexation: Preserve Our Plateau, SE 128th St

The following resolutions were presented for reading and adoption:

A resolution was read calling for the annexation, by election, of approximately 1,475 acres of contiguous unincorporated territory within Renton's East Renton Plateau Potential Annexation Area; stating the number of registered voters residing therein as nearly as may be; calling for an election to submit to voters of the territory the proposal for annexation; and authorizing the City Clerk to file with the King County Boundary Review Board a notice of intention hereof as well as to file a certified copy of this resolution with the Board of County Commissioners of King County and the King County Boundary Review Board. MOVED BY LAW, SECONDED BY BRIERE, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

Resolution #3791

CAG: 95-087, King County Fire Protection District #25

A resolution was read authorizing the Mayor and City Clerk to enter into an interlocal cooperative agreement with King County Fire Protection District #25. MOVED BY LAW, SECONDED BY NELSON, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

The following ordinance was presented for second and final reading and adoption:

Ordinance #5196

Development Services: Nuisance Ordinance

An ordinance was read amending Chapter 1-3, Remedies and Penalties, of Title I (Administrative) of City Code by clarifying definitions, nuisances, civil and criminal violations, and penalties. MOVED BY LAW, SECONDED BY NELSON, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

NEW BUSINESS

Council: Retreat Planning

Council President Corman asked Councilmembers to continue suggesting items for discussion at the upcoming Council retreat on March 8th and 9th, and upcoming Committee of the Whole meetings. Topics to be discussed at the retreat include The Landing project, Highlands area revitalization plan, and annexations. Councilman Persson suggested RTID (Regional Transportation Investment District) and Sound Transit Phase 2, and Mayor Keolker suggested Councilmember representation pertaining to regional matters.

Transportation: Regional Issues

MOVED BY PALMER, SECONDED BY PERSSON, COUNCIL REFER A STANDING REFERRAL FOR UPDATES ON REGIONAL TRANSPORTATION ISSUES AS THEY OCCUR TO THE TRANSPORTATION (AVIATION) COMMITTEE. CARRIED.

ADJOURNMENT

MOVED BY NELSON, SECONDED BY CORMAN, COUNCIL ADJOURN. CARRIED. Time: 8:33 p.m.

Bonnie I. Walton, CMC, City Clerk

Recorder: Michele Neumann
February 13, 2006